THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.4277 of 2005

Dated:11.07.2006

Between:

N.Prashanth Reddy.

…Petitioners

and

The Mandal Revenue Officer, Shamshabad Mandal, Ranga Reddy District, and others.

…Respondents

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.4277 of 2005

ORDER:

On an application made by the fourth respondent, the Mandal Revenue Officer issued a notice in Form No.VIII inviting objections. As no objections were received within the stipulated time, the first respondent issued proceedings dated 04.10.2004 ordering to effect the changes by amendment of Record of Rights register of Madanapally Village of Shamshabad Mandal, Ranga Reddy District. While doing so, the first respondent took into consideration the sale deed produced by the fourth respondent. The petitioner herein claims to be the grandson of one Narayana Reddy, who was the original assignee of the land admeasuring Acs.10.00 in Survey No.8/6 of Madanapally Village, Shamshabad Mandal, Ranga Reddy District. Therefore, it is contended that as the land was assigned to the grandfather of the petitioner, the assignment made in favour of one Sajju Bai, W/o.Heera Singh, and another was set aside by the District Revenue Officer in proceedings No.D1/2980/93, dated 25.07.1994, and as the fourth respondent claim the title through Sajju Bai, any change or mutation in favour of the fourth respondent is illegal and contrary to the proceedings of the District Revenue Officer, dated 25.07.1994.

After hearing the learned Counsel for the petitioner and the learned Assistant Government Pleader for Revenue (General), this Court is of the considered opinion that against the order passed by the Mandal Revenue Officer under Sections 4 and 5 of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 (for short 'the Act'), an appeal would lie under Section 5(5) of the Act to the Revenue Divisional Officer having jurisdiction.

Therefore, liberty is given to the petitioner to prefer an appeal before the Revenue Divisional Officer within a period of two weeks from the date of receipt of a copy of this order. As and when such appeal is filed, the Revenue Divisional Officer shall entertain the same, issue notices to the parties concerned, and decide the matter thereafter within a period of eight weeks.

The Writ Petition, with the above observations and directions, is accordingly disposed of. No costs.

_____

(V.V.S.RAO, J)

11.07.2006

vs